

Improvement Res. No. 1407-75

vac. of 1st alley w. of Cthmn
from epl of Baker to
npl of 1st alley s. of Baker St

Resolution Adopted:

Sept 17, 1975

Confirmed:

Oct. 3, 1975

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

November 13, 1975

A.R. to by 7.

B.O. 123-75

DECLARATORY RESOLUTION NO. 1407-75

for the vacation of the first alley west
of Calhoun Street from the south property line of
Baker Street to the north property line of the
first alley south of Baker Street.

ADOPTED: September 17, 1975

ADVERTISE NOTICE TO PROPERTY OWNERS: Sept. 26 & Oct. 3, '75

NOTICES MAILED: October 3, 1975

HEARING ON CONFIRMATION: October 16, 1975 at 3:30 p.m.

CONFIRMED: Oct. 16, 1975

ASSESSMENT ROLL ORDERED: Oct. 16, 1975

ASSESSMENT ROLL APPROVED: Oct. 28, 1975

HEARING ON CONFIRMATION OF A. R.: Thurs. Nov. 13, 1975
at 3:30 p.m.

NOTICE SERVED: Nov. 3, 1975

ASSESSMENT ROLL CONFIRMED. November 13, 1975

to D. of F.

Bo 123-75

62-262-10 H.I.

9/7/75

DECLARATORY RESOLUTION No. 1407 1975

For the Vacation - Opening - ~~Condemnation of right of way for utility purposes~~ of the first alley west of Calhoun Street from the south property line of Baker Street to the north property line of the first alley south of Baker Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley west of Calhoun Street from the south property line of Baker Street to the north property line of the first alley south of Baker Street.

All as shown by a plan of such proposed Vacation - ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - Opening - Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots No. 1 to 3, Bakers Addition and Space south of Baker Street and west of Harrison Street. Said Space and Addition are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described are situated in the northeast quarter Section Eleven, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS

17

DAY OF

19

75

Attest:

Secretary Board of Public Works.

Sept 17 1975
John Dault
Board of Public Works.

PETITION TO VACATE ALLEYS

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioner, does hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate those certain alleys located within the City of Fort Wayne, Allen County, Indiana, and more particularly described as follows:

ITEM I

That portion of the public alley lying next South of and parallel to Baker Street, extending West from the West right of way line of Calhoun Street to the East right of way line of the alley lying next East of Harrison Street, all in the City of Fort Wayne, Allen County, Indiana, all being bounded as follows:

On the North by Lot 1 in Baker's Addition to the City of Fort Wayne and on the South by a concrete retaining wall and Pennsylvania Railroad Right of Way.

ITEM II

That certain public alley lying next East of and parallel to Harrison Street, extending South from the South right of way line of Baker Street to the South right of way line of the alley lying next South of Baker Street, all in the City of Fort Wayne, Allen County, Indiana, all being bounded as follows:

On the East by Lots 1, 2 and 3 in Baker's Addition to the City of Fort Wayne and on the West by property owned by the Pennsylvania Railroad Company.

YOUR PETITIONER REPRESENTS:

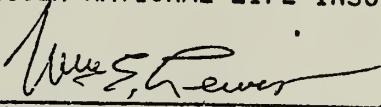
1. That it is the fee titleholder of all the real estate abutting on the North side of that portion of the alley referred to in Item I and all of the real estate abutting on East side of the alley referred to in Item II herein sought to be vacated.
2. That said alleys are not necessary for ingress or egress to any other property whatsoever.
3. That your Petitioner is willing to relocate all utilities, including sewer lines, power lines and telephone lines, at its expense, which are presently in the alleys, in a suitable location convenient to the various parties involved.

4. That the maintenance of the said alleys is not necessary or advantageous to the growth of the City of Fort Wayne. That it would be to the best interest of the City and the citizens thereof as well as the Petitioner that said alleys be vacated as prayed.

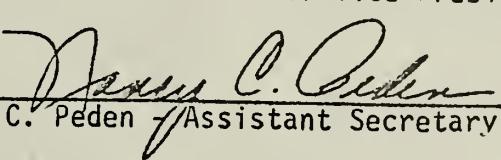
Your Petitioner files this petition pursuant to and in accordance with Section 44 of Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana as amended by Section 3 of Chapter 386 of the Acts of 1973 of the General Assembly of the State of Indiana (Indiana Statutes Annotated. Section 53-744), Burns 1964 Replacement Edition.

WHEREFORE, your Petitioner prays that the above described alleys be vacated according to the provisions of the Indiana Law pertaining thereto.

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY

BY: 

William E. Lewis - Senior Vice President

Attest: 

Nancy C. Peden / Assistant Secretary

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 123-75

Date October 16, 1975

To Street Engineering

Subject Declaratory Res. 1407-75 - Vacation of 1st alley west of Calhoun from spl of Baker to npl of 1st alley south of Baker St.

CONFIRMED.

Please prepare Assessment Roll of Benefits and Damages.

Dr. Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

/bt

OCT 17 1975

Attached: P.O. List

RECEIVED

CITY ENGINEERING DEPT.

Signed

Reply:

October 21, 1975

Attached please find Assessment roll of Benefits and Damages for
Declaratory Resolution No. 1407-75.

Kenneth H. Tracy
KNT:sw
Encl.

R. Bonar
Ron Bonar, City Engineer

62-211-8

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 49-75

Date May 12, 1975

To Street Engineering

Subject Vacation - Lincoln Life Project (N-S alley-south of Baker, West of Calhoun) - B.O. 49-75
(E-W alley-west of Calhoun, south of Baker) - B.O. 123-75

We have received the attached copy of petition being submitted to City Plan for their action.

When this has been approved by City Council, please prepare Resolution and necessary documents for Board's action.

Dr. Jerry D. Boswell
Carl E. O'Neal
BOARD OF PUBLIC WORKS

/bt

Attachment: Petition

RECEIVED
MAY 12 1975
CITY ENGINEERING DEPT.

Signed

Reply:

September 16, 1975

Declaratory Resolutions No. 1406 and 1407, drawings, petition and property ownership lists completed and attached. Both alleys are to be retained for easements.

Kenneth N. Taylor
Kenneth N. Taylor
Street Engineer

lc
attachs.

62-262-10

11/1/75

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 17th day of September, 1975, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1407-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley west of Calhoun Street from the south property line of Baker Street to the north property line of the first alley south of Baker Street.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, October 16, 1975 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

Jerry D. Boswell
Carl E. O'Neal
Betty Lou Nault
BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith

PUBLISH: September 26 and October 3, 1975

ep



THE CITY OF FORT WAYNE

board of public works

October 7, 1975

SUBJECT: PUBLIC HEARING

Dear Councilman Nuckles:

Please be advised that the Board has scheduled a public hearing Thursday,
October 16, 1975 at 3:30 p.m. concerning the following
project(s):

Continued from September 11, 1975

HEARING ON CONFIRMATION:

Dec. Res. No. 1391-75

Condemn r/w for st. purposes
part of Lot #42 White and
Detzers Add.

HEARING ON CONFIRMATION:

Dec. Res. No. 1406-75

Vac. Alley So. of Baker

Dec. Res. No. 1407-75

Vac. Alley W. of Calhoun

Dec. Res. No. 1405-75

Vac. Pittsburgh St.

You are invited to attend this public hearing and hear the comments of
your constituents regarding the project(s). If you have any questions
on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell

Carl E. O'Neal

Betty Lou Nault

BOARD OF PUBLIC WORKS

ep

cc: Mayor

AN EQUAL OPPORTUNITY EMPLOYER

Ft. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head	number of lines	1
Body	number of lines	32
Tail	number of lines	5
Total number of lines in notice		38

COMPUTATION OF CHARGES

38 lines, 1 column wide equals 38 equivalent lines at .288¢ cents per line \$ 10.94

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM \$ 10.94

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type $5\frac{1}{2}$ pointNumber of insertions 2 Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date October 3, 1975

Title Clerk

NOTICE TO PROPERTY OWNERS
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DECLARATORY RESOLUTION

NO. 1407-1975

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All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacations shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, October 16, 1975 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public WorksATTEST: Edna I. Smith
9-25-10-3.**COPY OF
MENT HERE**

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... *V.E. Gerken*..... who, being duly sworn, says

that..... She is..... Clerk..... of the NEWS-SENTINEL.....

a..... DAILY..... newspaper of general circulation printed and published

in the English language in the city } of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... two

timeS....., the dates of publication being as follows:

9/26 & 10/3/75.....

Subscribed and sworn to before me this..... 3rd day of October 1975

V.E. Gerken
Elmer C. Blomke
Notary Public

My commission expires October 25, 1975

Claim No. Warrant No.

IN FAVOR OF

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 } Incorrect

\$

On Account of Appropriation for

Appropriation No.

Allowed 19

In the sum of \$

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Ft. Wayne Board of Public Works
(Governmental Unit)

Allen County, Ind.

To: JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Arvilla De Wald

Date: October 3, 1975

Title: CLERK

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All as shown by a plan of such proposed vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said vacation shall be assessed against the property beneficially affected thereby.

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JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works

ATTEST: Edna I. Smith
9-26-10-3.

OPY OF
NT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned *ARVILLA DE WALD* who, being duly sworn, says that she is *CLERK*

JOURNAL-GAZETTE

a **DAILY** newspaper of general circulation printed and published in the English language in the city of *FORT WAYNE, INDIANA* in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **2** time **S**, the dates of publication being as follows:

9/26 & 10/3/75

Arvilla De Wald

Subscribed and sworn to before me this **3rd** day of **October** **1975**

Elmer C. Roenke
Notary Public

My commission expires **October 25, 1975**

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IN FAVOR OF

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Appropriation No.

Allowed , 19

In the sum of \$

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That it is in proper form.
That it is duly authenticated as required by law.
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Ft. Wayne Board of Public Works
(Governmental Unit)

To..... JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Arvilla De Wald

Date October 3, 1975

CLERK
Title.....

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK

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9/26 & 10/3/75

Arvilla De Wald

Subscribed and sworn to before me this 3rd day of October 1975

Elmer C. Roske
Notary Public

My commission expires October 25, 1975

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DECLARATORY RESOLUTION

NO. 1407-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley west of Calhoun Street from the south property line of Baker Street to the north property line of the first alley south of Baker Street.

All as shown by a plan of such proposed Vacuation as above described, COPY OF now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacuation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, October 16, 1975 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works

ATTEST: Edna I. Smith

9-26-10-3.

Claim No. Warrant No.

IN FAVOR OF

I have examined the within claim and hereby certify as follows:
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That it is duly authenticated as required by law.
That it is apparently } Correct
} Incorrect

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On Account of Appropriation for

Appropriation No.

Allowed, 19

In the sum of \$

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St. Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date October 3, 1975

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V.E. Gerken, who, being duly sworn, says

that She is Clerk

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, the dates of publication being as follows:

9/26 & 10/3/75

Subscribed and sworn to before me this 3rd day of

October 1975

Notary Public

October 25, 1975

My commission expires

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JERRY D. BOSWELL,
CARL E. O'NEAL,
BETTY LOU NAULT,
Board of Public Works

ATTEST: Edna I. Smith

9-26-10-3

COPY OF
MENT HERE

V.E. Gerken
October 25, 1975
Almer C. Remke

Claim No. Warrant No.

IN FAVOR OF

— 1 —

On Account of Appropriation for

Appropriation No.

Allowed....., 19.....

In the sum of \$.....

13.

196..

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DECLARATORY

Improvement Resolution No. 1407-75 For The Vacation of the First Alley West of Calhoun Street from the South Property

LINE OF BAKER STREET TO THE NORTH PROPERTY LINE OF THE FIRST ALLEY SOUTH OF BAKER STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	LINCOLN NATIONAL LIFE INSURANCE CO	1301 S. HAILEY ST.	1			BAKERS. ADD
2	" " " "	" "	2			" "
3	" " " "	" "	3			
4	PENN CENTRAL RAILROAD CO.	221 1/2 B. ST.	SPACE			SOUTH OF BAKER ST. - 2 1/2 AC. HARRISON CT NEKA 11-30-1C
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NOTICES MAILED OR SERVED			TOTAL			
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By: <u>eyp</u>						

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